

Notice of Allowability

Application No.

10/087,368

Applicant(s)

SHAHIDI ET AL.

Examiner

Philip J. Sobutka

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after final amendment filed February 24, 2005.
2. ☒ The allowed claim(s) is/are 1-43, 52 and 53, renumbered as 1-45.
3. ☒ The drawings filed on 01 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Allowable Subject Matter

1. Claims 1-43, 52, and 53 are allowed and renumbered as claims 1-45

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

Consider claim 1. The nearest prior art as shown in Salonaho fails to teach a method comprising the steps of: determining a common reference power for a plurality of base stations for a power control interval based on power measurement reports from one or more mobile stations, the power control interval comprising a plurality of power adjustment intervals; receiving power control commands at the base stations from a mobile station in soft handoff during a plurality of power adjustment intervals in said power control interval; adjusting the transmit powers at the respective base stations during each of said plurality of power adjustment intervals responsive to the power control commands from the mobile station by applying power adjustments to current transmit powers of the base stations; and varying a step size of the power adjustments during each of said plurality of power adjustment intervals as a function of the current transmit powers and the common reference power.

Consider claim 19. The nearest prior art as shown in Salonaho fails to teach a network comprising: a base station controller including at least one processor programmed to determine a common reference power for a plurality of base stations for a power control interval based on power measurement reports from one or more mobile stations, said power control interval comprising a plurality of power adjustment intervals; a plurality of base stations under the control of the base station controller for

communicating with a mobile station during soft handoff, wherein said base stations receive power control commands from said mobile station during a plurality of power adjustment intervals in said power control interval and include at least one processor programmed to: adjust a transmit power of the base station during each of said plurality of power adjustment intervals responsive to a power control command from the mobile station by applying a power adjustment to a current transmit power of the base station', and vary a step size of the power adjustment during each of said plurality of power adjustment intervals as a function of the current transmit power and the common reference power.

Consider claim 36. The nearest prior art as shown in Salonaho fails to teach a method for controlling a common reference power used by a plurality of base stations during a soft handoff to vary step size of forward link transmit power adjustments, comprising: receiving power measurement reports from a mobile station in soft handoff and adjusting the common reference power responsive to the power measurement reports from the mobile station; and wherein, during each of a plurality of power adjustment intervals, each base station makes power adjustments to a current transmit power being used for the mobile station responsive to power control commands received from the mobile station and varies the step sizes used for individual ones of the power adjustments made within each power adjustment interval, as a function of the current transmit power and the common reference power.

Consider claim 52. The nearest prior art as shown in Salonaho fails to teach a method comprising the steps of: determining a common reference power for a plurality

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of base stations for a power control interval based on power measurement reports from one or more mobile stations, said power control interval comprising a plurality of power adjustment intervals; receiving power control commands from a mobile station in soft handoff during a plurality of power adjustment intervals in said power control interval; computing a variable adjustment factor for the base stations during each of said plurality of power adjustment intervals as a function of the current transmit powers of the base stations and the common reference power; adjusting the transmit powers at the respective base stations during each of said plurality of power adjustment intervals responsive to the power control commands from the mobile station based on said variable adjustment factor and a fixed adjustment factor.

Consider claim 53. The nearest prior art as shown in Salonaho fails to teach a network comprising: a base station controller including at least one processor programmed to determine a common reference power for a plurality of base stations for a power control interval, said power control interval comprising a plurality of power adjustment intervals based on power measurement reports from one or more mobile stations; a plurality of base stations under the control of the base station controller for communicating with a mobile station during soft handoff wherein said base stations receive power control commands from said mobile station during a plurality of power adjustment intervals in said power control interval and include at least one processor programmed to: compute a variable adjustment factor for the base stations during each of said plurality of power adjustment intervals as a function of the current transmit powers of the base stations and the common reference power; adjust the transmit

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powers at the respective base stations during each of said plurality of power adjustment intervals responsive to the power control commands from the mobile station based on said variable adjustment factor and a fixed adjustment factor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Sobutka whose telephone number is 703-305-4825, after March 2005 the number will change to (571) 272-7887. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745, the fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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March 21, 2005


NAY MAUNG
SUPERVISORY PATENT EXAMINER